

### **REMARKS**

Claims 1 – 5, 7 and 9 are now pending in the application. Minor amendments have been made to the specification and drawings to simply overcome the objections to the specification and drawings. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **DRAWINGS**

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheet", Figure 3 has been amended to include "run\_time" in step 106, NO and YES signs in step 110 and "Deac\_threshold + Reac\_delta\_cal" in step 120, per the Examiner's suggestions. Therefore, reconsideration and withdrawal of the objections are respectfully requested.

### **SPECIFICATION**

The specification stands objected to for certain informalities. Applicant has amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1 – 5 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ament (U.S. Pat. No. 6,687,602). This rejection is respectfully traversed.

At the outset, Applicant notes that claim 1 has been amended to incorporate the allowable subject-matter of claim 6 and that claim 7 has been amended to incorporate the

allowable subject-matter of claim 8. Therefore, claims 1 and 7 define over the prior art and reconsideration and withdrawal of the rejections are respectfully requested. Claims 6 and 8 have been cancelled accordingly without prejudice or disclaimer of the subject-matter contained therein.

Claims 2 – 5 each ultimately depend from claim 1, which defines over the prior art as discussed in detail above. Therefore, claims 2 – 5 also define over the prior art and reconsideration and withdrawal of the rejections are respectfully requested.

Claim 9 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Jordan (U.S. Pat. No. 4,305,355). This rejection is respectfully traversed.

Applicant notes that claim 9 has been amended to incorporate the allowable subject-matter of claim 10. Therefore, claim 9 defines over the prior art and reconsideration and withdrawal of the rejection are respectfully requested. Claim 10 has been cancelled accordingly without prejudice or disclaimer of the subject-matter contained therein.

#### **ALLOWABLE SUBJECT MATTER**

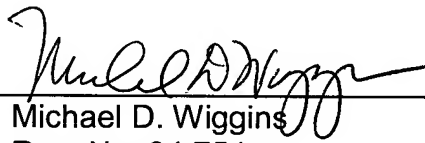
The Examiner states that claims 6, 8 and 10 would be allowable if rewritten in independent form. As discussed in detail above, claim 1 has been amended to incorporate the allowable subject-matter of claim 6, claim 7 has been amended to incorporate the allowable subject-matter of claim 8 and claim 9 has been amended to incorporate the allowable subject-matter of claim 10. Therefore, claims 1, 7 and 9 define over the prior art and reconsideration and withdrawal of the rejections are respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 10/28/04

By:   
Michael D. Wiggins  
Reg. No. 34,754

GENERAL MOTORS CORPORATION  
Legal Staff  
Mail Code 482-C23-B21  
P.O. Box 300  
Detroit, MI 48265-3000

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheet" of drawings includes changes to Figure 3. The attached "Replacement Sheet", which includes Figure 3, replaces the original sheet including Figure 3.

Attachment: Replacement Sheet(s)